

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**In Re:** )  
 )  
**AREDIA® AND ZOMETA® PRODUCTS** )  
**LIABILITY LITIGATION** )  
 )  
**(MDL No. 1760)** )      **No. 3:06-MD-1760**  
 )      **Judge Campbell/Brown**  
 )  
**This Document Relates to:** )  
***Thibault, et al., 3:08-cv-00802*** )

**ORDER**

Plaintiff Cynthia Thibault died on March 13, 2013. (MDL Doc. 7176; Related Case 28) A suggestion of death was filed on December 3, 2013. (MDL Doc. 7176; Related Case 28)

Counsel for the late Ms. Thibault filed a motion on March 3, 2014 to substitute her husband, Robert Derostyne, provisionally as the plaintiff in this case. (MDL Doc. 7332; Related Case 29) Counsel filed a subsequent motion on March 5, 2014 to substitute Mr. Derostyne as the plaintiff without restriction. (MDL Doc. 7336; Related Case 30) Counsel has provided a copy of an order entered by the Virginia Beach Circuit Court Clerk's Office on March 3, 2014 appointing Mr. Derostyne as the administrator of his late wife's estate. (MDL Doc. 7336, Ex. 1; Related Case 30)

The motion to substitute Mr. Derostyne as the plaintiff in this case (MDL Doc. 7336; Related Case 30) is **GRANTED**. The Clerk is instructed to terminate the earlier motion for provisional substitution (MDL Doc. 7332; Related Case 29) as **MOOT**.

It is so **ORDERED**.

**ENTERED** this 5<sup>th</sup> day of March, 2014.

/s/Joe B. Brown  
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Joe B. Brown  
United States Magistrate Judge